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UNITED STATES OF AMERICA)
v.)
FAHAD HILOWLE,)
Defendant.)

CASE NO. 2:22-CR-85-01

ORDER EXTENDING MOTION FILING DEADLINE

On November 7, 2022, Defendant, Fahad Hilowle moved, through counsel, to continue the deadline for the filing of pretrial motions for sixty (60) days. Defendant has not requested a continuance previously.

Mr. Hilowle has been held in custody since his initial appearance on August 9, 2022. In an indictment filed on August 4, 2022, Mr. Hilowle was charged with violations of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Defense counsel submits that additional time beyond the current deadline is needed because the parties are in active discussion regarding a potential resolution of the case. Those negotiations have been complicated by the Defendant's detention at Strafford County Jail in New Hampshire, and a recent Covid outbreak there.

Defense counsel requests that the Court extend the motion deadline under Fed. R. Crim. P. 12(c)(2), and that it find good cause to exist for the extension under Fed. R. Crim. P. 12(c)(3)). Defense counsels represents that this issue was discussed at the pre-trial status conference held on November 4, 2022, at which time the Government indicated that it did not object to the granting of this request. Defense counsel also informed the Court that the Defendant does not object to the additional time being excluded from the speedy trial calculation, in accordance with 18 U.S.C. § 3161(h)(7)(a). Counsel submits that without a continuance, Mr. Hilowle would be deprived of the time necessary for effective preparation, taking into account the exercise of due diligence.

The Court, having considered this application, finds that the failure to grant this continuance would unreasonably deny the Defendant the time necessary for effective preparation, taking into account the exercise of due diligence under 18 U.S.C. § 3161(h)(7)(a). The Court further finds that the ends of justice are served by taking this action, and that they outweigh the best interests of the public and the Defendant in a speedy trial.

Accordingly, Defendant's Motion is GRANTED. Pretrial motions are to be filed by January 8, 2023. *(CR)*

Dated at Burlington, Vermont, this 7th day of November, 2022.

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cc: AUSA Wendy Fuller

SO ORDERED.

11/8/22

Date



Christina Reiss, District Judge
United States District Court